

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
MONDAY, MARCH 28, 2011**

**ATTENDANCE:** 1<sup>st</sup> Selectman David Campbell; David Bayne;  
Gerald Nielsen, Jr.; Callie Sullivan; Jayme Stevenson;

**STAFF:** Karl Kilduff, Administrative Officer

**OTHERS:** David Devers, Ch 79

**CALL TO ORDER**

1st Selectman Campbell called the meeting to order at 7:45 p.m.

**REPORT FROM WEED BEACH BUILDING COMMITTEE**

1<sup>st</sup> Selectman Campbell said this will be on the next agenda.

**REPORT FROM CHANNEL 79**

Mr. David Devers provided an update on how they are making their programming more available. Their weekly program guide has been requested by over 700 viewers to receive on a weekly basis. On-air listings of shows and times between programs is part of the community calendar and is another way of letting viewers know which meetings will be aired at what time. They have also reached out to the local media, and the Darien Patch has accepted Channel 79's invitation to carry the program guide on their website. Some of the shows that have been aired are available on the town website. He then outlined from the presentation how to click on the link to the agenda, in pdf format, for any particular meeting from the website. Mr. Devers said some meetings have been videotaped, and they are available from the website to be shown in streaming video form from the user's browser. The original disc is held onto for approximately six months to one year, and then it is sent to the library for archiving.

Mr. Devers said they are always looking for staff members. They are looking to get an intern this year from the high school. Budgetary and time constraints determine which meetings will be videotaped, with approximately 5-6 meetings getting taped per week. He said the town of Darien covers more meetings than another other towns in the area. They have two portable cameras and can go virtually anywhere. He said he hopes to wire up room 119 for coverage. There is a possibility that Channel 79 may offer help to two other area towns. It was suggested that a budget and a 10-year plan be created for Channel 79.

## **FIRST SELECTMAN'S REPORT**

1<sup>st</sup> Selectman Campbell mentioned a sewer break on March 8, 2011 in the Shippan Point area of Stamford. As Darien sewage goes to Stamford through that pipe, Darien's crews were asked to help.

He said Mr. Darren Oustafine and the Darien Land Trust have reviewed the Selleck's Woods area near the I-95 northbound rest stop. It is an environmentally sensitive area. Work should begin soon. He said both rest stops in Darien will be closed at the same time. He said he attended the Norwalk Chamber of Commerce meeting recently, where he said Governor Malloy commented on how Darien is the engine that keeps the State of Connecticut going. He mentioned that the Ox Ridge Girl Scout Troop visited his office last week. He said he also visited the high school to offer a proclamation for "Kick Butts" day. He said the Darien Harbor Master is close to finishing the on-line mooring registration. He mentioned that Mr. David Genovese is close to raising \$50,000 for the Fourth of July fireworks display.

## **ADMINISTRATIVE OFFICER'S REPORT**

Mr. Kilduff said the Board of Finance has been going through the process of reviewing the budget, and meetings with staff have taken place. The RTM charter review is an on-going project, with the TGS&A committee making calls to various groups/individuals to obtain information to maintain the primary document of the town. There is on-going communication with the architect for the Senior Center to determine his contract role and required obligations.

## **PUBLIC COMMENT**

There were no public comments.

## **NEW BUSINESS**

- a) Discuss Possible Conversion of Daily Voucher Parking Spaces to Annual Permit Parking Spaces

Mr. Kilduff provided a summary of the conversion of daily voucher parking spaces to annual permit spaces. He explained that the question really is, can they reduce the waitlist by converting daily parking spaces, currently purchased with a voucher, to permit spaces. This was discussed briefly with the Board of Selectmen back in 2009. It is an issue of parking capacity. The wait list is 2400 people and if all the voucher spaces were eliminated, that would free up only 575 parking spaces. He outlined some policy issues for the Board's consideration. The first is, do they make the change for a trial period. He suggested that this might not be the best route to take. Also, do they implement the changes at both of the stations, or one and not the other.

There are more voucher spaces on the Darien side, but those lots are efficiently used. There are not as many spaces on the Noroton Heights side, but there is an efficiency that has been identified at the Post 53 lot. The lot can accommodate voucher and daily parkers, and new lighting was recently installed on the Noroton Heights side.

From an administrative issue, he said the question is if they want to create a new waitlist, or pull from the existing list. When the change is implemented, it becomes a revenue piece. The \$3.00/day voucher parking generates more revenue than the annual permit fee. He said the suggestion of converting 38 spaces in an area of Noroton Heights would result in a \$15,000 deficit. Mr. Kilduff clarified that the 38 spaces he marked off were closest to the Teen Depot side of the station. Some discussion took place among the Board of Selectmen regarding voucher spaces and annual permit spaces, space availability and re-striping of the Noroton Heights lot, general policy issues, and capital expense projects. He mentioned there is plenty of time, as they have to address this in terms of the budget and rate-setting process. The rate-setting process would have to be complete in November of 2011 so that the renewal could take place in January of 2012. The direction from the Board of Selectmen was to revisit an incentive rate for the Teen Depot side of the station, as well as find out who the next 50 people are on the waiting list. Also, Mr. Kilduff said that assuming nothing is done with the vouchers, it would be feasible to oversell by 40 or 50 spaces, possibly by 10 or 15 at a time. It was mentioned that the voucher price is the lowest price in the area.

b) Discuss and Take Action on Lease with Darien Nature Center

This was tabled until further notice.

c) Discuss and Take Action on Board of Selectmen Priorities for 2011

On page 2, under DOWNTOWN AND BUSINESS DEVELOPMENT, change the first bullet point to read "Review and consider the Route 1 Corridor Study - SWRPA"

**\*\* MS. STEVENSON MOVED TO APPROVE THE DARIEN BOARD OF SELECTMEN PRIORITIES FOR 2011 AS AMENDED.**

**\*\* MS. SULLIVAN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

d) Discuss and Take Action on a Resolution Authorizing Acceptance of a Sewer Easement with the Delafield Island Association

**\*\* MS. SULLIVAN MOVED TO APPROVE THE RESOLUTION AUTHORIZING ACCEPTANCE OF A SEWER EASEMENT WITH THE DELAFIELD ISLAND ASSOCIATION**

**WHEREAS, PURSUANT TO SECTION 2-32 OF THE CODIFIED ORDINANCES OF THE TOWN OF DARIEN, THE BOARD OF SELECTMEN IS EMPOWERED ON BEHALF OF THE TOWN OF DARIEN TO ACCEPT EASEMENTS FOR PUBLIC SANITARY SEWER LINES; AND WHEREAS, A PUBLIC SANITARY SEWER EXTENSION PROJECT WAS APPROVED TO CONNECT THE GRANTING NEIGHBORHOOD; AND WHEREAS, A PUBLIC SANITARY SEWER EASEMENT HAS BEEN GRANTED TO THE TOWN AND SIGNED BY THE DELAFIELD ISLAND ASSOCIATION; AND**

**WHEREAS, THE BOARD OF SELECTMEN WISHES TO ACCEPT THE EASEMENT TO INSTALL, MAINTAIN, OPERATE, REPLACE AND REMOVE A PUBLIC SANITARY SEWER LINE.**

**NOW, THEREFORE BE IT RESOLVED THAT THE TOWN OF DARIEN BOARD OF SELECTMEN HEREBY ACCEPTS THE PUBLIC SANITARY SEWER EASEMENT AS DESCRIBED IN THE EASEMENT DOCUMENTS. BE IT FURTHER RESOLVED THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE PUBLIC SANITARY SEWER EASEMENT ON BEHALF OF THE TOWN OF DARIEN WITH SUCH EASEMENT BEING RECORDED ON THE LAND RECORDS OF THE TOWN OF DARIEN.**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

- e) Discuss and Take Action on a Resolution Authorizing Acceptance of a Sewer Easement with the Salem Straits Property Association Incorporated

**\*\* MR. BAYNE MOVED TO APPROVE THE RESOLUTION AUTHORIZING ACCEPTANCE OF A SEWER EASEMENT WITH THE SALEM STRAITS PROPERTY ASSOCIATION INCORPORATED**

**WHEREAS, PURSUANT TO SECTION 2-32 OF THE CODIFIED ORDINANCES OF THE TOWN OF DARIEN, THE BOARD OF SELECTMEN IS EMPOWERED ON BEHALF OF THE TOWN OF DARIEN TO ACCEPT EASEMENTS FOR PUBLIC SANITARY SEWER LINES; AND WHEREAS, A PUBLIC SANITARY SEWER EXTENSION PROJECT WAS APPROVED TO CONNECT THE GRANTING NEIGHBORHOOD; AND WHEREAS, A PUBLIC SANITARY SEWER EASEMENT HAS BEEN GRANTED TO THE TOWN AND SIGNED BY THE SALEM STRAITS PROPERTY ASSOCIATION INCORPORATED; AND WHEREAS, THE BOARD OF SELECTMEN WISHES TO ACCEPT THE EASEMENT TO INSTALL, MAINTAIN, OPERATE, REPLACE AND REMOVE A PUBLIC SANITARY SEWER LINE.**

**NOW, THEREFORE BE IT RESOLVED THAT THE TOWN OF DARIEN BOARD OF SELECTMEN HEREBY ACCEPTS THE PUBLIC SANITARY SEWER EASEMENT AS DESCRIBED IN THE EASEMENT DOCUMENTS.**

**BE IT FURTHER RESOLVED THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE PUBLIC SANITARY SEWER EASEMENT ON BEHALF OF THE TOWN OF DARIEN WITH SUCH EASEMENT BEING RECORDED ON THE LAND RECORDS OF THE TOWN OF DARIEN.**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

f) Discuss and Take Action on Determining the Format for Board of Selectmen Minutes

Mr. Bayne said he was in favor of going back to the previous format of the minutes, saying it reflects the conversation(s) better and provides more information. Mr. Nielsen said there is still a brief synopsis provided in the new format. Mr. Bayne felt that it wasn't just for the Board of Selectmen, but for the people watching the videotape of the meeting. 1<sup>st</sup> Selectman Campbell said he felt the new format of minutes was good, and the previous format was too long. He had reviewed copies of minutes from Wilton, Westport, New Canaan and Greenwich. He said that for a 2-hour meeting, there were three pages of minutes. He felt that Darien's minutes were sufficient, lengthy enough, and anything longer would be and had been confusing. Ms. Sullivan said that the videotape cannot be edited, and that the lengthy version of the minutes provided helpful insight into heated topics, discussions, etc. Ms. Stevenson echoed Mr. Nielsen's sentiments. She said that they either have to stay with the action-minute format, or go to full-verbatim transcript-style minutes. She felt that Channel 79 is doing a great job providing coverage of the meetings.

**\*\* MR. NIELSEN MOVED TO APPROVE THAT THE DARIEN BOARD OF SELECTMEN HEREBY ADOPTS THE USE OF "ACTION MINUTES" WHICH COMPLY WITH THE REQUIREMENTS OF ROBERT'S RULES OF ORDER TO DOCUMENT IN SUMMARY FASHION THE ACTIVITIES OF THE BOARD'S MEETINGS, PROVIDED THAT SUCH MINUTES MEET THE REQUIREMENTS OF STATE STATUTE.**

**\*\* MS. STEVENSON SECONDED.**

**\*\* MOTION PASSED WITH THREE (3) VOTES IN FAVOR (CAMPBELL, NIELSEN, STEVENSON) AND TWO (2) VOTES OPPOSED (BAYNE, SULLIVAN).**

g) Transfers

**Public Works**

**RESOLVED:**

That the following transfer of appropriations is approved for referral to the Board of Finance:

**From:**

TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
MARCH 14, 2011  
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| <u>Acct. No</u> | <u>Account</u> | <u>Amount</u>   |
|-----------------|----------------|-----------------|
| 10407011-82053  | Security Svcs  | \$ 1,700        |
| 10407011-82051  | Electricity    | \$ 8,000        |
| 10407011-82054  | Sewer expense  | \$ 300          |
|                 | <b>TOTAL</b>   | <b>\$10,000</b> |

**To:**

| <u>Acct. No</u> | <u>Account</u>      | <u>Amount</u>   |
|-----------------|---------------------|-----------------|
| 10407011-82041  | Fac Repair & Maint. | \$10,000        |
|                 | <b>TOTAL</b>        | <b>\$10,000</b> |

**\*\* MS. SULLIVAN MOVED TO APPROVE THE TRANSFER OF \$10,000 (TOTAL) FROM THE SECURITY SVCS ACCOUNT (10407011-82053) FOR \$1,700; THE ELECTRICITY ACCOUNT (10407011-82051) FOR \$8,000; AND THE SEWER EXPENSE ACCOUNT (10407011-82054) FOR \$300 TO THE FAC REPAIR & MAINT ACCOUNT (10407011-82041).**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

Mr. Kilduff said that an additional \$4,400 transfer is needed in addition to the \$5,600 transfer of March 14, 2011. It was decided to transfer a total of \$10,000 and rescind the March 14, 2011 transfer of \$5,600.

**\*\* MR. BAYNE MOVED TO RESCIND THE PREVIOUS TRANSFER DATED MARCH 14, 2011 OF \$5,600 (TOTAL) FROM THE POTABLE WATER ACCOUNT (10407011-82053) FOR \$1,300; THE ELECTRICITY ACCOUNT (10407011-82051) FOR \$3,400; AND THE SEWER EXPENSE ACCOUNT (10407011-82054) FOR \$300 TO THE FAC REPAIR & MAINT ACCOUNT (10407011-82041).**

**\*\* MS. SULLIVAN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

### **AGENDA REVIEW**

There were no items for agenda review.

### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Regular Meeting of February 28, 2011

The changes to the regular meeting of February 28, 2011 are as follows:

On page 2, under 1<sup>st</sup> SELECTMAN'S REPORT, the 2<sup>nd</sup> sentence should read: "He said the lobbyist likes the status quo and felt that any change to the law would open the floodgates to amending 8-30G".

On page 2, under ADMINISTRATIVE OFFICER'S REPORT, the 1<sup>st</sup> sentence should read: "Mr. Kilduff said they are now gearing up for another reverse auction for electricity purchases".

On page 6, 6<sup>th</sup> paragraph, the 2<sup>nd</sup> sentence should read: "Mr. Bayne had a question on the architect's work, and he stated his reasons for not voting to approve this transfer of funds".

**\*\* MR. BAYNE MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 28, 2011 AS AMENDED.**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

Special Meeting of March 7, 2011

The changes to the special meeting of March 7, 2011 are as follows:

On page 1, under NEW BUSINESS, 4<sup>th</sup> paragraph, the 2<sup>nd</sup> sentence should read: "Ms. Sullivan questioned a comment from Ms. Stevenson's Facility Utilization Highlights, February 2011 report which stated: "The RTM disagreed with the exclusive use of the property for affordable housing"."

On page 1, under NEW BUSINESS, 4<sup>th</sup> paragraph, the 3<sup>rd</sup> sentence should read: "Ms. Stevenson responded that the RTM voted to remove the amendment inserted by the BOF that the property be used for affordable housing".

On page 1, under NEW BUSINESS, the last paragraph should read as follows: "Mr. Bayne asked what the Town would be responsible for if the transfer from Contingency were approved and the architect's contract signed, but the RTM did not approve the remainder of the money from the General Fund. 1<sup>st</sup> Selectman Campbell responded that the Town would only pay for services incurred through that date. Mr. Bayne then pointed out that the draft contract given to the BOS provided for the payment of certain other expenses such as reallocating employees and lost profits. Mr. Campbell pointed out that the contract was still in draft form and that this would be one of the provisions that will be modified".

On page 2, 2<sup>nd</sup> paragraph, the last sentence should read: "Ms. Sullivan believes the senior citizens' needs are being met through several organizations in town".

- \*\* MR. BAYNE MOVED TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF MARCH 7, 2011 AS AMENDED.**
- \*\* MS. SULLIVAN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Regular Meeting of March 14, 2011

- \*\* MR. NIELSEN MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 14, 2011.**
- \*\* MS. STEVENSON SECONDED.**
- \*\* MOTION PASSED WITH THREE (3) VOTES IN FAVOR (CAMPBELL, NIELSEN, STEVENSON) AND TWO (2) VOTES ABSTAINED (BAYNE, SULLIVAN).**

#### **FORTHCOMING MEETINGS**

|                       |  |
|-----------------------|--|
| April 5, 2011         | Board of Finance Budget Meeting with BOS at 7:30 p.m.            |
| April 5, 2011         | Planning & Zoning Commission Planning Meeting at 8:00 p.m.       |
| April 11, 2011        | Board of Selectmen Regular Meeting at 7:45 p.m.                  |
| <b>April 12, 2011</b> | <b>Board of Selectmen Joint Dept. Heads Meeting at 8:30 a.m.</b> |

#### **OTHER BUSINESS**

(Any items added to the agenda require a two-thirds vote)

#### **ADJOURNMENT**

- \*\* MS. SULLIVAN MOVED TO ADJOURN.**
- \*\* MR. BAYNE SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Carolyn Marr  
Telesco Secretarial Services